

REMARKS

The rejection of Claim 28 under 35 USC §112, ¶2 is deemed to be addressed by the foregoing amendment thereto.

The rejections of Claims 27-35 as being unpatentable over Bentz et al. in view of Sturdy and as being unpatentable over Bentz et al. in view of Sakakibara, under 35 USC 103(a) are traversed, and reconsideration is respectfully requested.

Although applicants agree that the Bentz et al. patent does not teach or suggest the use of a board with a module housing, they also submit that a sufficient prima facie case of obviousness must begin with the Patent and Trademark Office clearly identifying what it considers to be the structure in that patent corresponding to the integrally formed valve and actuator housing as well as the cover and air flow meter. This has not been done.

In any event, applicants have now more clearly delineated a major aspect of their invention with regard to new main Claim 36 and an amended independent Claim 32. The former claim is directed to an apparatus in which a power transmission apparatus-cover portion 10 and an electric control module-housing portion 41 are molded in one resin piece so that a mouth of the cover portion housing portion 41 is opposite in direction to the mouth of the cover portion 10 as shown in Figs. 1-4.

In the latter claim, a resin cover 10 is integrally formed with an electric connector portion 10 is integrally formed with an electric connector portion 10c for external connection. An electronic control module 11 is attached to the resin cover-inner surface facing a space for a reduction gear 4. The electronic control module 11 and the electric connector 10c are electrically connected with each other via insert molding-electric conductors 131-150 in the claimed resin cover 10.

As a result of the arrangement set forth in Claim 36, an adjustment of the electronic control module 11 can be made from outside of the throttle apparatus without detaching the cover portion 10 from the throttle body 1. That is, after installing the electronic control module 11 in the module housing portion 41 and attaching the module housing portion 41 on the throttle body 1, the adjustment of the control module 11 can be undertaken while maintaining portion of the power transmission apparatus 4 and the throttle actuator housing 31.

In fact, the Bentz et al. apparatus provides no concrete suggestion of accommodating the electronic control unit 4 as a substrate in the housing part 16. Nor do the Sturdy governor or the Sakakibara sensor suggest such an arrangement. Indeed, given that the Sakakibara patent deals with a rotational angle sensor it cannot even be argued that it is addressed to issues dealing with throttle valve apparatus component question.

With regard to the subject matter of Claim 32, now when a plug of the external device connects to the connector portion 10c of the throttle apparatus, the plug-exerting force to the connector portion 10c can be received with the entire resin cover 10 fixed on the throttle body 1. Consequently, the external plug can be connected with the connector portion 10c without undue stress while sealing the electronic control module from outside air.

No such suggestion is found in the Bentz et al. patent as to the integral formation of a resin cover with an electrical connector portion for an external connection.

The Bentz et al. connector and the Sturdy connector 68 are provided at the electronic control module 4 (substrate 21) or an electronic circuitboard (66). Therefore, undue stress likely occurs when connecting the external plug with the connector. Although the Bentz et al. connector 22 could be mounted on the closure cap 18, the patent suggests nothing about an integral structure of the connector and that closure cap 18.

In Figs. 18 and 19 of Sakakibara, as disclosed, the following at column 13, lines 16-25, a connector 8 for external connection is integrally formed with a housing 3. Lead members 7 are embedded in the housing 3, and the circuit substrate 30 is received in the recess 3b of the housing 3. The housing 3 is, however, a sensor housing for containing sensor elements, not a cover portion for protecting a reduction gear. That is, Sakakibara does not even suggest providing

a resin cover for a reduction gear being integrally formed with an electric connector portion for external connection or an electronic control module being attached to the resin cover-inner surface facing a space for a reduction gear or the electronic control module and the electric connector being electrically connected in the resin cover for the reduction gear.

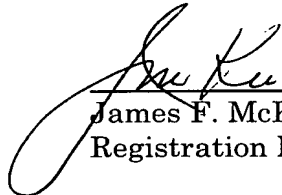
An early and favorable action on the merits is now earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056208.50262C2).

Respectfully submitted,

January 9, 2006


James F. McKeown
Registration No. 25,406

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JFM:dg